



Defendants' counsel represents that following an independent inquiry, no data was extracted from Mr. Clemmons's cellular telephone.

3. As consideration for this stipulation of dismissal, Defendants acknowledge that the search warrants that are the subject of this action could possibly be construed as overbroad when applied to the circumstances related to Jocques Clemmons.

4. Defendants' counsel shall independently verify that Defendants have complied with the above described relief. Upon verification, Defendants' counsel shall certify Defendants' compliance by filing notice of such compliance with the Court.

5. Following certification by Defendants' counsel that all of the relief set forth in this Order has been provided, all remaining claims in this litigation, and all other pending matters arising out of, regarding, or relating to this litigation, shall be withdrawn, waived, dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2), and/or denied as moot. The Plaintiff expressly disclaims any future claims against the Defendants regarding spoliation.

6. The Parties shall bear their own attorney's fees and discretionary costs incurred in bringing and defending against this action.

7. Defendants shall bear the court costs incurred in this action, for which execution may issue if necessary.

**IT IS SO ORDERED.**

Entered this \_\_\_\_ day of \_\_\_\_\_, 2018.

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JUDGE WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE

**APPROVED FOR ENTRY BY:**

/s/ Daniel A. Horwitz

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of March, 2018, a copy of the foregoing was served via USPS mail, postage prepaid, emailed, and/or sent via CM/ECF, and to the following parties:

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By: /s/ Daniel A. Horwitz  
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